IN RE: PETITION FOR ZONING VARIANCE N/S Old Frederick Road, 265' W of the c/l of Lee Drive (2006 Old Frederick Road) 1st Election District

Petitioner

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY

1st Councilmanic District * Case No. 90-444-A Ellwood Building Corporation

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a window to tract boundary setback of 30 feet in lieu of the required 35 feet for Lots 1 through 20, and a building to tract boundary setback of 10 feet in lieu of the required 30 feet for Lot 26, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Ellwood A. Sinsky, President, appeared and testified. Also appearing on behalf of the Petition was William Woody, Registered Land Surveyor, and Peter McDonnell, Project Engineer, both with KCW Consultants, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 2006 Old Frederick Road, consists of 5.33 acres more or less zoned D.R. 5.5 and is presently undeveloped. Petitioner testified the subject site is proposed for development as 26 single family dwelling units. However, as a result of its narrow width, Mr. Sinsky testified that development of the subject property in strict compliance with the zoning regulations would result in practical difficulty and unreasonable hardship. Petitioner testified that the requested window to tract boundary variance for Lots 1 through 20 is necessary in order to place windows in the proposed homes due to the lot depths. Additionally, the evidence presented indicated that due to the location of existing improvements on the adjoining property, no detriment

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-444-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

window to tract boundary for Lots 1-20 and To allow 10 ft. in lieu of 30 ft.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Legal Owner(s):

(Type or Print Name)

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property

which is the subject of this Petition.

Ellwood Building, Corporation.

Ellwood A. Sinsky, President

2416 Velvet Valley Way 363-6644

Owings Mills, Maryland 21117___

Name, address and phone number of legal owner, con-

tract purchaser or representative to be contacted

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

Variance from Section __1B01.2.C.2.a To allow 30 ft. in lieu of 35 ft.

building to tract boundary for Lot 26.

See Attached

Contract Purchaser:

City and State

Attorney for Petitioner:

(Type or Print Name)

to the health, safety or general welfare of the community would result if the relief requested for Lot 26 were granted. Mr. Sinsky indicated that the subject property was sold to him by the owner of the property adjoining the side of the variance requested for Lot 26. Petitioner argued that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community. To support his testimony, Petitioner introduced photographs of the subject property and surrounding development. Further testimony indicated that CRG approval of the subject development had been granted, subject to approval of the requested variances. Petitioner testified that he is working with the Office of Planning to provide landscaping where appropriate, including, but not limited to, the storm water management area and at the end of the cul-de-sac to prevent car lights from penetrating into the adjoining town-

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

house development.

WINDOW TO TRACT BOUNDRY: The narrow width of this 5+ acre tract makes subdivision into lots of practical depth for an acceptable dwelling on a double sided street impossible without a reduction of the window to tract boundry from 35' to 30'. Although the rear yard depth of 30' is permissible under the regulations, the window requirement of 35' appears to be contradictory, particularly in cases of rear yard to rear yard.

BUILDING TO TRACT BOUNDRY: Reduction of required 30' sideyard to tract boundry to 10' permits better achievement of density for the one subject unit as this request permits the facing of the dwelling to the street. The sideyard reduction is to the rear of the adjoining property and in no way affects the adjoining owner.

In the above requests, the criteria for area variances based on "practical difficulty" is met without injury to public health, safty and general welfare.

and general welfare. variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3/00 day of May, 1990 that the Petition for Zoning Variance to permit a window to tract boundary setback of 30 feet in lieu of the required 35 feet for Lots 1 through 20, and a building to tract boundary setback of 10 feet in lieu of the required 30 feet for Lot 26, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to

> er, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> 2) Prior to the issuance of any permits, Petitioner shall submit a landscaping plan for approval by the Deputy Director of Planning. A copy of the approved plans shall be submitted to the Zoning Commissioner's Office for inclusion in the case file.

3) Prior to the issuance of any occupancy permits for the subject dwellings, Petitioner shall have completed to the extent possible, as determined by the Deputy Director of Planning, the required landscaping, including, but not limited to, around the storm water management area and the end of the cul-de-sac.

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety,

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the

the relief granted: 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; howev-

Douglas L. Kennedy, P.E.

William K. Woody, L.S.

John M. Cosaraquis, L.S. (Ret.)

KCW Consultants, Inc. Civil Engineers and Land Surveyors 1777 Reisterstown Road Commercentre, Suite 175 Baltimore, Maryland 21208

(301) 484-0894 / 484-0963

2006 Old Frederick Road, First Election District, Baltimore County, Maryland

March 9, 1990

Upman Property

DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCES.

BEGINNING at a point on the North side of Old Frederick Road, 50 feet wide, at a distance of 265 feet West of the centerline of Lee Drive, 50 feet wide; thence

(1) South 75 degrees 28 minutes 20 seconds West 96.71 feet; (2) South 70 degrees 56 minutes 23 seconds West 82.55 feet; (3) North 05 degrees 58 minutes 43 seconds East 849.20 feet; (4) North 19 degrees 13 minutes 13 seconds East 454.40 feet; (5) South 70 degrees 49 minutes 17 seconds East 100.60 feet;

(S) South 05 degrees 01 minutes 52 seconds West 1028.92 (7) North 86 degrees 21 minutes 17 seconds West 80.00 feet (8) South 02 degrees 55 minutes 17 seconds East 169.74 feet

to the point of beginning, containing 228,577 square feet or 5.25 acres more or less. BEING that lot of ground which by Deed dated January 8, 1990

and recorded among the Land Records of Baltimore County in Liber S.M. 8391, Folio 180 was granted and conveyed by John P. Stahle to Ellwood Building Corporation. Also known as No. 2006 Old Frederick Road and located in the First Election District.

4) Compliance with all Zoning Plans Advisory Committee comments submitted hereto and made a part of the

5) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

> (MNotarana ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

County Office Building 3/12/90 PUBLIC HEARING FEES 010 - ZDNING VARIANCE (IRL) LAST NAME OF OWNER: ELLWOOD BLDING B 153******3500:a 3132F

> CERTIFICATE OF POSTING NING DEPARTMENT OF BALTIMORE COUNTY

and here
Date of Posting april 30,194
// / /
ng Corporation
erick Road, 265 W of C/L of
Frederick Road
lerick Road in front of sulf
Date of return: May 3, 1990
σ

Owings Mills, Maryland 21117 Attorney's Telephone No.: 363-6644 19 90, that the subject matter of this petition be advertised, as

I. cen 309.

2416 Velvet Valley Way

NOTICE OF HEARING The Zoning Commissions of The zoning Commissioner of Patimore County, by authority of the Zoning Act and Regulations of Battmore County will hold a subtic hearing on the property identified herein in Room 106 of the County Office Building, to-cated at 111 W. Chesapeaks Av-Petition for Zoning Variance Case number: 90-444-A N/S Old Frederick Road, 265 W of c4 of Lee Drive 2006 Old Frederick Road 1st Election District 1st Councilments retion
flearing Date: Tuesday,
May 22, 1990 et 9:30 a.m. Verlance: To allow 30 ft. in lieu of 35 ft. window to tract boundary for Lote 1 - 20 and to allow 10 ft. in lieu of 30 ft. building to tract boundary for Lot 26. In the event that this Petition is granted, a building permit may be lessed within the thirty (30) day appeal period. The Zoning Com-missioner will, however, entertain any request for a stay of the is-suance of said permit during this paried for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or

CERTIFICATE OF PUBLICATION

TOWSON, MD., april 30, 19 90 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on April 26, 19 90.

5. Zete Olm

Po 104497

Zoning Commisioner County Office Building

J. POBERT HAINES Zoning Commissioner of Bathimore County

M9000834 5/21/90

PUBLIC HEARING FEES OBO -POSTING SIGNS / ADVERTISING 1 X \$94.82

TOTAL: \$94.82 LAST NAME OF OWNER: ELLWOOD BLDING

> B B D14*****9482:a %228F Please make checks payable to: Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines



Your petition has been received and accepted for filing this 4th day of April, 1990.

CONING COMMISSIONER

Petitioner: Ellwood Building Corporation Petitioner's Attorney: Ellwood Sinsky

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner

Ellwood A. Sinsky, Individually and t/a Ellwood Building Corporation 2416 Velvet Valley Way

Gwings Mills, Maryland 21117 Petition for Zoning Variance CASE NUMBER: 90-444-A N/S Old Frederick Road, 265' W of c/l of Lee Drive

2006 Old Frederick Road 1st Election District - 1st Councilmanic Petitioner(s): Ellwood Building Corporation HEARING: TUESDAY. MAY 22. 1990 at 9:30 a.m.

Please be advised that $\frac{94.82}{}$ is due for advertising and posting of the above captioned property.

> THIS FEE MUST BE PAID AND THE ZONING SIGN & PUST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Galtimore County, Maryland. Bring the check and the sign & post set(a) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

JRHigs

PROTECTION AND RESOURCE MANAGEMENT 4-1-90

Zoning Commissioner Office of Planning and Zoning County Office Building

Towson, Maryland 21204

Zoning Item 1309, Zoning Advisory Committee Meeting of April 3-1990 Property Owner: MWOOD Building Corpuration.

Location: N/S old Frederick Rd, 245' W centerline Lee District: 1 Water Supply: ______ Sewage Disposal: ______ Sewage Disposal: ______

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins. A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or

process which exhausts into the atmosphere.

A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more. Prior to approval of a Ruilding Permit Application for renovations to existing or construction of new

health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and severage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations For more complete information, contact the Division of Maternal and Child Health. () If lubrication work and oil changes are performed at this location, the method providing for the elimination

of waste oil must be in accordance with the State Department of the Environment. ($\sqrt{\ }$) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management

at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestoes, 887-3775. · () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

() Soil percolation tests, have been ____, must be ____, conducted.
() The results are valid until _____. () The results are valid until _______.

() Soil percolation test results have expired. Petitioner should contact the Division of Water

and Sewer to determine whether additional tests are required. (). Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property

and approval of Building Permit Applications. () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the

subdivision process, please contact the Land Development Section at 887-2762. (others __ The existing well(s) must be backfilled by a licended driller who must submit a well abandonment prior to cazine. The existing septice system (s) must. sumped and either backfilled or removed printe

BUREAU OF WATER QUALITY AND RESOURCE

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

^pril 9, 1990

NOTICE OF HEARING

County will hold a public hearing on the property identified herein in Room 106 of the County Office Building



The Zoning Commissioner of Baltimore County, by authority of the Zoning act and Regulations of Baltimore

Petition for Zoning Variance CASE NUMBER: 90-444-A N/S Old Frederick Road, 265' W of c/l of Lee Drive 2006 Old Frederick Road 1st Election District - 1st Councilmanic Petitioner(s): Ellwood Building Corporation HEARING: TUESDAY, MAY 22, 1990 at 9:30 a.m.

located at 111 W. Chesapeaka Avenue in Towson, Maryland 21204 as follows:

Variance: To allow 30 ft. in lieu of 35 ft. window to tract boundary for Lots 1 - 20 and to allow 10 ft. in lieu of 30 ft. building to tract boundary for Lot 26.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Baltimore County

cc: Ellwood A. Sinsky

Baltimore County

Fire Department

494-4500

Paul H. Reincke

Towson, Maryland 21204-2586

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner

May 3, 1990

RE: Item No. 309, Case No. 90-444-A Petitioner: Ellwood Building Corp. Petition for Zoning Variance

Dear Mr. Sinsky:

Ellwood A. Sinsky, Esquire

2416 Velvet Valley Way

Owings Mills, MD 21117

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

> Very truly yours, JÁMES E. DYER Chairman Zoning Plans Advisory Committee

JED:jw

Enclosures

Dennis F Rasmussen

J. Robert Haines Zoning Commissioner

Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

ELLWOOD BUILDING CORPORATION RE: Property Owner: #2006 OLD FREDERICK ROAD Location:

Zoning Agenda: APRIL 3, 1990 Item No.: 309

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Planning Group Special Inspection Division

APRIL 4, 1990

INTEROFFICE CORRESPONDENCE

BALTIMORE COUNTY, MARYLAND

TO: Zoning Advisory Committee DATE: April 4, 1990 FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for April 3, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 300, 307, 308, 310, 311, 312, 313, 318, 319 and 320.

For Items 309, 314, 315 and 317, the previous County Review Group comments apply.

For Item 316, a County Review Group meeting may be required. For Item 321, a County Review Group meeting may be

required. Neither lot has in-fee frontage to a public

ROBERT W. BOWLING, P.A., Chief Developers Engineering Division

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

Ellwood A. Sinsky, Esquire 2416 Velvet Valley Way Owings Mills, Maryland 21117

RE: PETITION FOR ZONING VARIANCE N/S Old Frederick Road, 265' W of the c/l of Lee Drive

(2006 Old Frederick Road) 1st Election District - 1st Councilmanic District Ellwood Building Corporation - Petitioner Case No. 90-444-A

Dear Mr. Sinsky:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

May 31, 1990

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

a Musterious

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmussen

cc: People's Counsel

File

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS PRE-CRG DATE: 3/12/90

DISTRICT: 1c1 . .

requests:

PROJECT NAME: Upman Property

PLAN: 2/23/90 REV.: 3/16/90 REV.:

(X) COMPLIANCE WITH COMMENT CHECKED

LOCATION: N/S Frederick Road between Rolling Road and Woodshurst Way

CRG DATE: 3/22/90

(O) NON-COMPLIANCE IS CIRCLED (BA) BE ADVISED (NOT NECESSARY FOR CRG

REVISED PLAN KEY:

APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL) ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify obvious conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Request". The assistance received at the time of filing zoning petitions A and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of any public hearing

BA 1. As noted on the plan, zoning setback variances are required and in note #17 conspicuously title: ZONING WARTANCE URABING PROPERTY. conspicuously title: ZONING VARIANCE HEARING REQUESTS and eliminate variance #"b" unless Upman Court is an existing street at the time of development. Prepare a zoning variance chart by lot clearly indicating which variances are being requested on which lot and clearly indicating the B.C.Z.R. section number, the quantity requested and the quantity required, all to be included on the plan:

> a. tract boundary sections window - 35 ft. required - 1B01.2.C.2.a (V.B.5.a., C.M.D.P.) building - 30 ft. required - (V.B.5.b., C.M.D.P.)

COUNTY REVIEW GROUP COMMENTS PROJECT NAME: Upman Property CRG DATE: 3/22/90; PRE-CRG DATE: 3/12/90

- Darken tract boundary; dimension all lines of subdivision, include permitted building envelope areas and setbacks; clearly indicate the required tract boundary and street setbacks. Note that all proposed dwellings shall not exceed 20 feet in height (as defined in Section 101, B.C.Z.R.). Indicate the front orientation of lot #1; show a typical height profile with building separation proposed. Clearly indicate any additional variances requested on the C.R.G.
- 3. Density Note on this plan print under the density calculation: "This property as shown on the plan has been held intact by the ownership shown since . No part of the gross area of this property as shown on the plan has been utilized, recorded or represented as density to support any other off-site dwellings."
- 4. Final zoning approval is contingent upon the resolution of all comments and the outcome of the public hearing requests.

W. CARL RICHARDS, JR. Zoning Coordinator

WCR:scj

PLEASE PRINT CLEARLY SALP DECORE SYNGE MAY STILL alwood A. Sinsky 1777 REISTENSTOWN Ry 21208 PETER Mª DONNELL (19) Engle LITT BECSTERS TOUR RO 21208.

Petitioner's

BALTIMORE COUNTY, MARYLAND

PROJECT NAME: UPMAN PROPERTY 9:00 A.M.

This plan proposes construction of 26 single family houses situated on 5.33 ± acres of land zoned D.R. 5.5. The site is located on the north side of Old Frederick Road, west of Rolling Road.

The Office of Planning has reviewed the revised plan dated March 1, 1990 and submits the following comments.

- This site is located within a traffic area controlled by a *D* level of service intersection at Baltimore National Pike and Rolling Road as designated on the Basic Services Maps adopted by the County Council. Although the present level of service is currently considered to be adequate, Baltimore County recognizes that continuing development in certain areas may create future service deficiencies. Such development is not intended to be restricted unless there is a substantial probability that an arterial and arterial collector intersection situated within the mapped area will, on the date the map became situated within the mapped area will, on the date the map became effective, be rated at level of service "E" of "F". For this reason, the Basic Services Maps are reviewed annually, as it is the intention of the County Council that existing service deficiencies will be corrected in accordance with the Master Plan and Capital Improvement
- Any special exceptions, variances or special hearings necessary for this project may delay signature until such hearings have been resolved before the Zoning Commissioner. A copy of the zoning Commissioner's order should accompany the approved CRG plan filed for signature. Although the CRG Plan may be approved, the outcome of the required hearing(s) may necessitate future revisions. The Office of Planning and Zoning reserves the right to comment on the petitioners request at the Zoning Commissioner's hearing.
- The storm water management facility should be effectively screened from all adjacent residential properties.
- 4. The southern extension of Lot 26 does not appear to be calculated in the lot area. This extension should ideally be conveyed to the Stahle property. The developer's intent should be clear on the plan prior to CRG signature.
- 5. A final landscape plan, approved by Office of Planning and Zoning, is required prior to the issuance of building permits.



